



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-098995-25

In the matter of: 616, 2350 BIRCHMOUNT RD
SCARBOROUGH ON M1T3N4

Between: COTA Health Landlord

And

Robert MacDonald Tenant

COTA Health (the 'Landlord') applied for an order to terminate the tenancy and evict Robert MacDonald (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 4, 2026.

Only the Landlord's Agent, Robert Abbatangelo attended the hearing.

As of 9:16 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The N4 notice served was not signed by the Landlord.
2. Section 43 of the *Residential Tenancies Act, 2006* (the 'Act') provides that a notice of termination must be signed by the person giving the notice or the person's agent.
3. As the N4 notice did not comply with section 43 of the Act, the N4 notice is invalid. The Landlord was given the option to proceed with the application for arrears of rent only or to withdraw the application to seek termination of the tenancy and the Landlord elected to withdraw the application. I consented to the request.

It is ordered that:

1. The application is withdrawn.

February 11, 2026

Date Issued

Christopher Lin

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.